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Dated: February 8, 2007

Signature: 

(Arnold H. Krumholz)

Docket No.:  
AGALIN 3.0-003 II  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Fishman et al.

Application No.: 10/631,911

Group Art Unit: 3743

Filed: July 31, 2003

Examiner: T. K. Mitchell

For: METHODS FOR EASING PAIN AND  
ANXIETY FROM ATRIAL OR  
VENTRICULAR DEFIBRILLATION

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUBMISSION OF INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR § 1.97(D) AND**  
**CERTIFICATION PURSUANT TO 37 C.F.R. § 1.97(E) (1)**

Dear Sir:

It is respectfully requested that this Information Disclosure Statement, filed after issuance of a final rejection, be considered pursuant to 37 C.F.R. § 1.97(d). It is respectfully requested that the references listed on the enclosed form be made of record and considered with respect to the above-referenced U.S. patent application. The references were cited in an EPO communication issued in connection with applicants' corresponding European application. A copy of each non-US patent or patent application, and the communication, are enclosed. Submission of the present Information Disclosure Statement should not be taken as an admission that the cited references are legally available prior art or that the same are pertinent or material.

Pursuant to 37 C.F.R. § 1.97(e) (1), undersigned counsel hereby certifies that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart

Application No.: 10/631,911

Docket No.: AGALIN 3.0-003 II

foreign application to the above-referenced patent application not more than three months prior to the filing of said statement.

In the event that any additional fee is due in connection with the present Information Disclosure Statement, the Commissioner is hereby authorized to charge the same to our Deposit Account No. 12-1095.

Dated: February 8, 2007

Respectfully submitted,

By 

Arnold H. Krumholz  
Registration No.: 25,428  
LERNER, DAVID, LITTENBERG,  
KRUMHOLZ & MENTLIK, LLP  
600 South Avenue West  
Westfield, New Jersey 07090  
(908) 654-5000  
Attorney for Applicants

LD-458\



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Commissioner for Patents  
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Alexandria, VA 22313-1450

**REQUEST FOR CONSIDERATION OF INFORMATION UNDER 37 CFR § 1.97 (C)**

Dear Sir:

It is respectfully requested that the references cited  
in the enclosed form be considered pursuant to 37 C.F.R. §  
1.97(c). Please charge deposit account No. 12-1095 in the  
amount of \$180.00 pursuant to 37 C.F.R. § 1.17(p). In the event  
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request, the same should be charged to our deposit account No.  
12-1095.

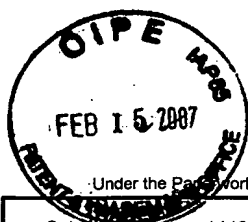
Dated: February 8, 2007

Respectfully submitted,

By 

Arnold H. Krumholz  
Registration No.: 25,428  
LERNER, DAVID, LITTENBERG,  
KRUMHOLZ & MENTLIK, LLP  
600 South Avenue West  
Westfield, New Jersey 07090  
(908) 654-5000  
Attorney for Applicant

LD-453\



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Approved for use through 03/31/2007. OMB 0651-0031

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet	1	of	1	Attorney Docket Number	AGALIN 3.0-003 II
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**Complete if Known**

Application Number	10/631,911-Conf. #9615
Filing Date	July 31, 2003
First Named Inventor	Royce S. Fishman
Art Unit	3743
Examiner Name	T. K. Mitchell
Attorney Docket Number	AGALIN 3.0-003 II

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	AA*	US-3,776,227	12-04-1973	Pitesky et al.	
	AB*	US-2,388,533	11-06-1945	Edmondson	
	AC*	US-5,524,613	06-11-1996	Haber et al.	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	BA	WO-01/49349	07-12-2001	Tillotson Elizabeth		
	BB	WO-98/25665	06-18-1998	Abbott Lab		
	BC	WO-95/18644	07-13-1995	Abbott Lab et al.		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with an single asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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